

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JESSE NIETO, JR.,

Plaintiff,

v.

CALIBER HOME LOANS, *et al.*,

Defendants.

No. 2:20-cv-00422-JAM-JDP

ORDER TO SHOW CAUSE WHY THIS  
CASE SHOULD NOT BE DISMISSED FOR  
FAILURE TO PROSECUTE AND FAILURE  
TO COMPLY WITH A COURT ORDER

RESPONSE DUE WITHIN 14 DAYS

On September 1, 2021, the court issued an order setting an initial scheduling conference for September 30, 2021 and directing the parties to file a joint status report seven days prior. ECF No. 43. Defendants timely filed a status report. ECF No. 44. Plaintiff, however, failed to file his own status report or to join in defendant's filing. Accordingly, plaintiff is ordered to show cause why sanctions should not be imposed for his failure to comply with the court's order and to prosecute this case.

To manage its docket effectively, the court imposes deadlines on litigants and requires litigants to meet those deadlines. The court may dismiss a case for plaintiff's failure to prosecute or failure to comply with a court order. *See* Fed. R. Civ. P. 41(b); *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005). Involuntary dismissal is a harsh penalty, but

1 a district court has a duty to administer justice expeditiously and avoid needless burden for the  
2 parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1. The  
3 court will give plaintiff a chance to explain why the court should not dismiss the case for  
4 plaintiff's failure to prosecute and failure to comply with a court order. Plaintiff's failure to  
5 respond to this order will constitute a second failure to comply with a court order and may result  
6 in dismissal of this case.

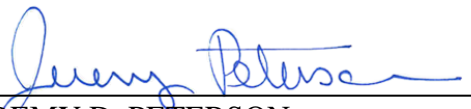
7 Accordingly, it is hereby ordered that:

8 1. The initial scheduling conference currently set for September 30, 2021 is continued to  
9 November 4, 2021 at 10:00 a.m.

10 2. Within 14 days of the date of entry of this order plaintiff shall file a status report and  
11 show cause why sanctions should not be imposed for failure to comply with a court order.

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13 IT IS SO ORDERED.

14 Dated: September 27, 2021

  
15 JEREMY D. PETERSON  
16 UNITED STATES MAGISTRATE JUDGE  
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